



TENNESSEE REAL ESTATE News-Journal

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Attention Affiliate Brokers: New Continuing Education Requirement

The Commission has determined that affiliate brokers who are required to complete continuing education must complete a specific four (4) hour "Core" course as part of the statutorily-required 16 hours of continuing education in order to renew licenses for 2005-2006. The Commission has also determined that the Core Course must be taught in a classroom setting. This means that the 16 hours of continuing education required must consist of 4 hours of the mandated course and 12 hours of elective course(s). If a licensee completes 22 hours of elective continuing education and does not also complete the Core Course, the license cannot be renewed for 2005-2006.

The Core course has been designed to include 2 hours of law, rule and policy update, 1 hour of agency and representation and 1 hour of contract issues. All schools/sponsors providing approved continuing education have been informed of this Core Course requirement and several of them have already had a Core Course approved and have taught or are preparing to teach it. At the time of publication of this News-Journal the following organizations have had the Core Course approved:

Tennessee Real Estate Education Systems, Inc.
(800-572-8733)

Greater Nashville Association of REALTORS
(615-254-7516)

Professional School of Real Estate (Knoxville)
(800-609-1222)

Regional Education Forum
(615-771-6845)

Tennessee Association of REALTORS
(800-889-5297)

Excel Real Estate School
(423-626-5821)

Career Institute
(615-765-7470)

Nashville School of Real Estate
(615-329-1366)

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Charles K. "Pug" Scoville Receives 2002 Tune Award

The 2002 William "Bill" Tune Award for Excellence in Real Estate Education was awarded to Charles K. "Pug" Scoville at a luncheon in Nashville on November 13th. Pug, a Nashville native, has served the Tennessee Association of REALTORS® (TAR) as Director of Communications and Education since 1985. He produces TAR's quarterly newsletter, publishes TAR's weekly e-mail newsletter for its over 12,000 members, and oversees the GRI program and other education offerings for TAR's Local Associations. He also runs TAR's e-mail services, is administrator of TAR's membership system, and World Wide Web sites while overseeing the Association's professional standards operations.

Charles K. "Pug" Scoville Receives 2002 Tune Award, continued from page 1

Pug Scoville received his Bachelor's degree from Vanderbilt University and his Master's degree from Peabody College. Prior to his work for TAR, he was an account executive with an advertising, marketing, and public relations firm which served corporate, professional, and association clients in Nashville, Atlanta and Washington, DC. His most prominent client at that time was President Reagan's Task Force on Private Sector Initiatives.

Since coming to TAR, he has served on numerous state and national committees and policy-setting groups. In 1987, he was elected Chairman of the Directors of Education for the National Association of REALTORS® (NAR), and in 1989 was elected President of the Association of Tennessee Real Estate Educators. Also in 1989, he was elected national Chairman of the Instructor Training Institute (ITI), having authored the original Instructor Training Institute manual and curriculum. He served as ITI President again in 1999. In 2001, he was elected Chairman of the Communications Directors for NAR. Pug has also staffed every TAR task force and advisory group on agency law.

He is married to Kyra Scoville, a real estate professional, has three children and three grandchildren. Over the years Pug has certainly enhanced real estate education.

Licensees: Make Sure Clients' Interests are Preserved

A recent article in the Nebraska Real Estate Commission's newsletter cautioned licensees about refraining from showing a buyer/client a particular piece of property because of the "split" of the compensation the licensee would receive. Tennessee statute clearly states, "A licensee must place the interests of the client before all others in negotiation of a transaction and in other activities, (T.C.A. §62-13-404(2)). If an agent elects to refrain from showing a property or properties for a personal reason (share of compensation), that licensee is placing his interest before the client's.

Active Licensees Can Access Education Histories On-Line

The TREC website now contains information about active licensees' education histories. The education information can be located by first going to the home page:

www.state.tn.us/commerce/trec

From the button icons on the left side of the page, select "Licensee Search".

On the Licensee roster Search screen, select the type of license by clicking on the drop-down menu named "Licenses", then select Real Estate Broker/Affil.

Select from the following Search Criteria: Name, Address, City, State, Zip, or License #.

When searching by name, it is worthwhile to enter your name and then select "Partial Word Search". Searching by License Number is much more accurate.

While the window used to input data states only "Enter Name or Address", you may enter any of the search criteria listed earlier.

Select submit and data will appear. In the lower left portion of the screen with licensee data, there is a bar titled "Check Continuing Education". Click there and the education history that TREC has in your electronic file will appear.

The education information is not "live" but is downloaded to the web server several times a week.

Information concerning completion of education must come directly from the schools to TREC. Please do not send TREC originals or copies of education completion certificates unless expressly requested by TREC to do so.

When Phoning TREC, Please...

License numbers are used by TREC staff members to access most or all of your licensee information. Prior to calling to ask a question about your license, please look up your license number so that we can serve you better and faster. It is imperative that we look at your licensure file rather than provide generalized answers to questions. Not all situations are the same and we want to make sure we provide you with the information that is pertinent to your license.

DISCIPLINARY ACTION

JUNE 2002

NITA J. HERSHMAN**Lic. No. 228822****Memphis, TN**

Ms. Hershman's license was suspended for thirty (30) days following a formal hearing on June 5, 2002. Ms. Hershman was ordered to complete the 30-hour Course for New Affiliates prior to the license being reactivated. The results of the hearing revealed Ms. Hershman opened a bank account where at least one earnest money check was deposited without the knowledge of the principal broker, she disbursed money from this account to the sellers without written consent of the purchasers or an addendum to the contract and she signed the principal broker's name to a listing/referral fee agreement without a properly executed power of attorney.

AUGUST 2002

BOBBY D. LANNOM**Lic. No. 8920****Mt. Juliet, TN**

Mr. Lannom consented to pay a civil penalty of \$250.00 for failure to obtain written consent from the property owner when the method of auctioning was changed from the "tract method" to the "pick and choose" method.

ANDREW JOHNSON**REAL ESTATE &
AUCTION CO.****Lic. No. 59552****GARY WILLIS****Lic. No. 15067****Greeneville, TN**

Mr. Willis and the firm consented to pay a civil penalty of \$1,000.00 each (total of \$2,000.00) for failing to disclose personal interest in a property and advising that new windows had been installed while the invoice indicated that only the glass panes had been replaced.

TRACY HOPKINS**TINDALL****Lic. No. 244438****STONECREST
PROPERTIES****Lic. No. 255438****Chattanooga, TN**

Principal Broker Tracy Hopkins Tindall agreed to pay a civil penalty of \$2,400.00 for practicing real estate at the firm of Stonecrest Properties during a period when the firm's license had expired.

REEVES WILLIAMS**REALTY****Lic. No. 254897****PAMELA JONES****WESCHE****Lic. No. 23733****Southaven, MS**

Respondents agreed to pay a joint civil penalty of \$500.00 for failure to include the firm's phone number in two published newspaper advertisements.

SEPTEMBER 2002

ADRIENNE K. ARNETT**Lic. No. 262879****Nashville, TN**

Ms. Arnett agreed to pay a civil penalty of \$9,400.00 for practicing real estate on an expired license.

OCTOBER 2002

BECKY SKELTON**Lic. No. 254563****Morristown, TN**

Ms. Skelton agreed to pay a civil penalty of \$250.00 for failure to include the firm's phone number in newspaper advertisements.

DEBRA SCALF**Lic. No. 248991****Elizabethton, TN**

Ms. Scalf agreed to pay a civil penalty of \$250.00 for failure to include the firm's phone number in a newspaper advertisement.

NOVEMBER 2002

CARRIE C. SWEENEY**Lic. No. 266209****Bartlett, TN**

Ms. Sweeney agreed to pay a civil penalty of \$250.00 for failure to include the firm phone number in a magazine advertisement.

JANE H. BARKER**Lic. No. 258873****Clarksville, TN**

Ms. Barker consented to pay a \$1,000.00 civil penalty for failure to make certain that all terms and conditions of a real estate transaction were included in a purchase contract.

MONTY F. SAMS**Lic. No. 6366****Morristown, TN**

Mr. Sams agreed to pay a civil penalty of \$250.00 for failure to include the firm name on signage.

DECEMBER 2002

MAURICE L. VAUGHN
Lic. No. 218011
Clarksville, TN

Mr. Vaughn agreed to pay a \$250.00 civil penalty for failure to include the firm name and firm phone number in a newspaper advertisement.

PHILLIP C. CANTRELL
Lic. No. 282985
Nashville, TN

Mr. Cantrell agreed to pay a civil penalty of \$1,750.00 for offering a cash incentive to unlicensed persons on a flyer, failure to include the firm name in a prerecorded telephone solicitation accessed by calling the advertised number on the flyer and failing to disclose the legend "Each (Franchise Trade Name or Cooperative Group) Office is Independently Owned and Operated" on the flyer.

JOHN S. BLACKWELL
Lic. No. 283795
Lebanon, TN

Mr. Blackwell agreed to pay a civil penalty of \$250.00 for failure to include the firm name in a newspaper advertisement.

JANUARY 2003

MARY ANN TAPP
Lic. No. 236379
Arlington, TN

Ms. Tapp agreed to pay a civil penalty for failure to include the firm name in an advertisement.

DONNA M. PINK
Lic. No. 268947
Mt. Juliet, TN

Ms. Pink agreed to pay a civil penalty of \$350.00 for using a yard sign displaying her name in letters larger than the firm and failing to include the firm phone number.

Ed. C. Montgomery
Lic. No. 7747
Gatlinburg, TN

Mr. Montgomery consented to pay a civil penalty of \$500.00 for failing, within a reasonable time, to account for or to remit moneys coming into his possession which belong to another. He failed to remit to the owner of a property a refund on the carpet cleaning overcharge and rents received.

Bobby Lannom
Lic. No. 8920
Mt. Juliet, TN

Mr. Lannom consented to pay a civil penalty of \$1,000.00 for failure to obtain written instructions from the owner when the price of a property was reduced.

John K. Hyneman
Lic. No. PB263594
Memphis, TN

Mr. Hyneman agreed to pay a civil penalty of \$250.00 for failing to advertise under the firm name.

Earleen W. Helton
Lic. No. 201915
Kingsport, TN

Ms. Helton agreed to pay a civil penalty of \$250.00 for failing to indicate that she is a real estate agent in a publication.

John E. Burks
Gatlinburg, TN

Mr. Burks agreed to pay a civil penalty of \$250.00 for providing services as an Acquisition Agent without a license.

Mary Gaspar
Sevierville, TN

Ms. Gaspar agreed to pay a civil penalty of \$250.00 for providing services as an Acquisition Agent without a license.

Effrem L. Oliver
Lic. No. 277467
Memphis, TN

Mr. Oliver agreed to pay a civil penalty of \$250.00 for failure to complete administrative measures to transfer his license to a new firm in a timely fashion.

Bruce Baskette
Lic. No. 201188
Cordova, TN

Mr. Baskette agreed to pay a civil penalty of \$500.00 for posting a sign on property advertising himself as an agent using letters larger than those of the firm name.

FEBRUARY

Janice R. Farrar
Lic. No. 253763
Montegagle Cottage Services
Lic. No. 254976
Monteagle, TN

Ms. Farrar and Monteagle Cottage Services consented to pay a joint civil penalty of \$1,000.00 for the firm continuing to operate after the brokers license expired and Ms. Farrar failed to timely account for or remit moneys due a client.

J. Wayne Pugh, Esq. Joins TREC

The Tennessee Real Estate Commission welcomes J. Wayne Pugh as its new advisory attorney. Mr. Pugh joined the Department of Commerce and Insurance Office of General Counsel in October of 2002 and began working with the Commission the first of January this year.

Mr. Pugh is a native Tennessean who grew up in Madison, completed undergraduate education at The University of Tennessee in Knoxville and completed law school at the Nashville School of Law. His previous law experience includes working in the Sixth Circuit Court, clerking for Judge Charles H. O'Brien in the Tennessee Court of Appeals and in-house counsel for 12 years with ADT Automotive, Inc, a national automobile auction company.

When not working, Mr. Pugh, an outdoor enthusiast, enjoys scuba diving, golf and hiking.

State's E-Mail Addresses Change

E-Mail addresses have been changed for all State of Tennessee agencies and employees. The new general TREC e-mail address is trec@state.tn.us. Individual employees' e-mail addresses are formatted as: first name (dot) middle initial (dot) last name @state.tn.us (ie: fred.smith@state.tn.us). For most employees the middle initial is not required. TREC employees' names are listed on page 6 of this newsletter.

2003 Commission Meeting Schedule

All Commission meetings for this year have been scheduled to be held in Nashville, in Conference Room 160 of the Davy Crocket Building, 500 James Robertson Parkway. The meetings begin at 8:30 AM. The Commission's meeting schedule for the remainder of this year is:

April	2 & 3
May	7 & 8
June	4 & 5
July	1 & 2
August	6 & 7
September	3 & 4
October	TBA
November	TBA
December	3 & 4

All meetings are open to the public. In order to address the Commission you must be scheduled for the agenda. Contact TREC for instructions.

**New Affiliate
Brokers Are
Required to
Complete the
30 Hour Course
For New
Affiliates Prior
to the First
Anniversary
Date of Their
License**

Who Needs or Can Take the TREC CORE Course

The CORE Course is described in the article on the first page of this News-Journal. Any affiliate brokers who are required to complete 16 hours of education by November 1, 2004 must complete this course to renew their licenses. However, this course can be used to complete post-broker license education. In fact, this course has been designed to inform all real estate professionals about the current law, rules and policies which affect their profession.

A list of providers of the CORE Course will be updated in future editions of the News-Journal.

Principal Brokers:

**Please check to see
that all affiliated
individuals have
licenses with the
expiration date of
12-31-04**

Tennessee Real Estate Commission

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www.state.tn.us/commerce/trec

Personnel & Areas of Responsibility

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Hester Curtis
Gil Dyer
Rachel Fowler
Conell House
Karen Jarrett
Andrea Pratt
Donna Swanson
Danny Webb

Support Section:

Bill Capps
Carolyn Kennedy
Charles Tolliver

Complaint Section:

Shirley Hines
Sue Kerley

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Joan Burk
Judy F. Elmore
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Sharon Peebles

Education Section:

Kathy Riggs

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